

#### Members

Sen. John Waterman, Chairperson  
Sen. David Ford  
Sen. William Alexa  
Sen. Anita Bowser  
Rep. Duane Cheney  
Rep. Vernon Smith  
Rep. Ralph Ayres  
Rep. Ralph Foley



## **CORRECTIONS MATTERS EVALUATION COMMITTEE**

#### LSA Staff:

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Committee  
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Authority: IC 2-5-21-10

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### **MEETING MINUTES<sup>1</sup>**

**Meeting Date:** October 1, 2001  
**Meeting Time:** 1:00 P.M.  
**Meeting Place:** State House, 200 W. Washington St.,  
Room 404  
**Meeting City:** Indianapolis, Indiana  
**Meeting Number:** 1

**Members Present:** Sen. John Waterman, Chairperson; Sen. David Ford; Sen. Anita Bowser; Rep. Duane Cheney; Rep. Ralph Foley.

**Members Absent:** Sen. William Alexa; Rep. Vernon Smith; Rep. Ralph Ayres.

Rep. Mellinger and Sen. Waterman called the meeting to order the meeting at 1:20 p.m. They both announced that this would be a combined meeting of State and Local Government and Corrections Matters Evaluation Committee.

They indicated that the topics for this meeting would be the Indiana State Police (ISP) investigation at Putnamville State Correctional Facility and education issues at the Department of Correction.

The first topic on the agenda was the ISP investigation of the Putnamville Correctional Facility.

#### **Lt. Mark Mitchell, Detective, Indiana State Police**

Lt. Mitchell indicated that the investigation began in 1999, based on allegations of misconduct and the presence of a white supremacy group. A five member ISP team investigated these allegations for 18 months and were unable to substantiate allegations.

During a series of questions and answers, Lt. Mitchell made the following points:

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<sup>1</sup> Exhibits and other materials referenced in these minutes can be inspected and copied in the Legislative Information Center in Room 230 of the State House in Indianapolis, Indiana. Requests for copies may be mailed to the Legislative Information Center, Legislative Services Agency, 200 West Washington Street, Indianapolis, IN 46204-2789. A fee of \$0.15 per page and mailing costs will be charged for copies. These minutes are also available on the Internet at the General Assembly homepage. The URL address of the General Assembly homepage is <http://www.ai.org/legislative/>. No fee is charged for viewing, downloading, or printing minutes from the Internet.

- The main purpose of this investigation was to find criminal violations to take to prosecuting attorney. These criminal violations included physical abuse of offenders motivated by white supremacy and trafficking of narcotics and cigarettes. The investigation found no substantiated connection to racist motivations.
- Five detectives investigated these allegations full time for 12 months and part time for six months.
- The detectives could not substantiate any allegations.
- The staff at the Department of Correction fully cooperated with the investigation and none of the investigative team felt threatened or felt that DOC staff tried to obstruct the investigation.
- The results of the investigation were sent to the Department of Justice.
- While the investigation has been suspended, it may be reopened if additional information emerges.

#### **Randy Koester, Legislative Liaison, Department of Correction**

Mr. Koester provided handouts to the Committee members concerning the allegations that the Department of Correction Training Institute's logo had racist markings on it. (See Exhibit A.)

The first exhibit showed a timeline of the history of the Indiana Correctional Training Institute logo. The original logo was inspired by the recycling logo printed on paper products. The logo incorporated a circle of three arrows in the Correctional Training Institute's logo design to symbolize the Department's commitment to recycling human beings into productive citizens.

In May, 2000, a reporter for NUVO, an Indianapolis weekly newspaper, contacted DOC about the allegation that the logo contained "KKK" on the pin. When DOC learned of the hidden "KKK" on the pin, the logo was redesigned and employees were instructed to no longer wear the old pin.

#### **David Kirkham, Trooper, Indiana State Police**

Mr. Kirkham has been employed by the Indiana State Police for eight years. He is the sole investigator for eight facilities in the northwest area of Indiana. He initiates criminal investigations when DOC refers criminal matters to ISP. He distributed statistics for criminal investigations for these facilities. (See Exhibit B.)

Mr. Kirkham made the following points when answering the questions of the Committee members.

- The DOC staff have never tried to persuade him to improperly conduct an investigation.
- Concerning an incident in which an offender was severely burned when going through a dishwasher, Mr. Kirkham found that the offender was not forced into the dishwasher; but instead, went through on a dare in exchange for cigarettes.
- Concerning the allegations that money was being extorted from the families of offenders to ensure that they are not physically assaulted, Mr. Kirkham found these claims to be false.
- The prosecuting attorneys in the counties in which these facilities are located did not file charges in the 23 cases that he sent to them.
- Mr. Kirkham currently has five active cases.
- Concerning corrections officers, Mr. Kirkham indicated that claims that corrections officers physically abused offenders could not be documented and charged in court.

### **Kathleen Ivancic**

Ms Ivancic is the mother of Charles Wolters, an offender who was sent to Otter Creek Correctional Facility in Wheelwright, KY. He is now in the Indiana State Prison. Ms. Ivancic told the committee members that her son had been beaten by other offenders and has needed two root canals as a result. When she has spoken to DOC officials, she indicated that they have no records of this.

She also spoke about the riot that occurred at the Otter Creek that was not reported in the local newspapers. She provided a series of documents to the Committee about these allegations. (See Exhibit C.)

Rep. Mellinger indicated that he will ask for a full response from the Governor and the Department of Correction.

### **Jerry Laxson, Citizens United for Rehabilitation of Errants (CURE)**

Mr. Laxson indicated that offenders need better training by DOC. The "bully system" is not fair and a root of the problems that DOC faces.

The final topic on the agenda was the adequacy of educational programs administered by the Department of Correction. Rep. Mellinger explained that Sen. Weatherwax raised the issues of whether adequate staff and funding are available for required educational programs for DOC.

### **Professor Joanna Wallace, Dean of the School of Continuing Education and Public Service, Ball State University**

Professor Wallace told the committee that 850 offenders are enrolled in Ball State's program. There are three separate programs: an Associate Degree, Bachelor of General Studies; and Bachelor of Science in History. The program is not vocational education but is instead a traditional liberal arts curriculum.

Professor Wallace made the following points in answering questions of the Committee members:

- The grants that are used to educate offenders are also available to the general public.
- While DOC does not keep comprehensive statistics on recidivism, it appears that offenders who participate in these programs are less likely to be rearrested and recommitted to DOC facilities.
- These education programs accepts some offenders who have prison sentences that will exceed their natural lives.

### **Doyle McCallister. Indiana State Teachers Association**

Mr. McCallister told the committee members that he works with teachers employed in state facilities. He indicated that a 1992 study showed that 52% of offenders have a learning disability and that the national recidivism rate is 60%. He indicated that 3% of students who finished a GED program at a DOC facility were recommitted to DOC and that 11% of those who started, but did not finish, were recommitted. He told the committee members that he believes that the best service that DOC can provide offenders is education and that not much else available to them.

Mr. McCallister also made the following comments:

- The DOC curriculum is being neglected.

- Education programs are underfunded..
- Standards for classrooms are inadequate.
- Special education rules are routinely violated.
- Teachers in some facilities have to pay for their own teaching materials.
- The General Assembly may wish to consider having the Department of Education supervise education in prisons.

Rep. Mellinger asked DOC for additional information about funding levels for education by facility. Also numbers on staffing per offender.

Kelsey Kaufman distributed to members of the committee a revised copy of The Brotherhood, Racism and Intimidation Among Prison Staff At The Indiana Correctional Facility - Putnamville. (See Exhibit D.)

Rep. Mellinger and Sen. Waterman announced that another joint meeting will be held on October 15 at 1 p.m. The meeting was adjourned.